

**§ 1720.520 Proposed findings, conclusions, and order.**

The administrative law judge may fix a reasonable time, not to exceed 30 days after the close of the evidence, during which any party may file with the administrative law judge proposed findings of fact, conclusions of law and rules or orders together with briefs in support thereof. Such proposals shall be in writing, shall be served upon all parties and shall contain adequate references to the record and to authorities relied on. The record shall show the administrative law judge's ruling on each proposed finding and conclusion, except when the rule or order disposing of the proceeding otherwise informs the parties of the action taken thereon.

**§ 1720.525 Decision of administrative law judge.**

(a) The administrative law judge shall make and file a decision within 30 days after the close of the taking of evidence in cases in which a hearing is held.

(b) The decision shall be effective 10 days after service upon the parties unless a petition for appeal is filed pursuant to § 1720.605 which shall serve to stay the effectiveness of the decision while the appeal procedure is ongoing.

**§ 1720.530 Decision of administrative law judge—content.**

The administrative law judge's decision shall include a statement of:

(a) Findings, with specific references to principal supporting items of evidence in the record and conclusions, as well as the reasons or bases therefor, upon all of the material issues of fact, law or discretion presented on the record, and

(b) An appropriate order.

The administrative law judge's decision shall be based upon a consideration of the whole record and supported by reliable, probative and substantial evidence.

**§ 1720.535 Reopening of proceeding; termination of jurisdiction.**

(a) At any time prior to the filing of the decision, the administrative law judge may reopen the proceeding for the reception of further evidence.

(b) The jurisdiction of the administrative law judge is terminated when the decision becomes effective unless and until the proceeding is remanded to the judge by the appeals officer or a court of appropriate jurisdiction. The administrative law judge may *sua sponte* or on motion of a party file corrections of clerical errors.

## APPEALS

**§ 1720.605 Appeal from decision of administrative law judge.**

(a) *Petition for appeal.* The administrative law judge's decision may be appealed by filing a written petition for appeal with the Docket Clerk for Administrative Proceedings within 10 days after service of the decision appealed from. Copies of the petition for appeal shall be served on all interested parties. The petition shall be limited to specifying the findings and conclusions to which exceptions are taken, together with a summary of the reasons in support of such exceptions.

(b) *Denial of petition.* A petition for appeal of the decision of the administrative law judge may be denied by the appeals officer. The petition shall be ruled on by the appeals officer within 10 days after filing. A denial of the petition shall be final agency action and shall render the administrative law judge's decision immediately effective.

(c) *Appeal brief.* If the appeals officer grants the petition, the appeal shall be perfected by filing within 30 days after service of the decision granting the petition a brief conforming to § 1720.620. In addition, the appellant shall submit a proposed order for the consideration of the appeals officer.

**§ 1720.610 Answering brief.**

Within 20 days after service of an appeal brief upon a party, such party may file an answering brief conforming to the requirements of § 1720.620.

**§ 1720.615 Reply brief.**

A brief in reply to an answering brief, limited to rebuttal of matters in the answering brief, may be filed and served by a party within 7 days after receipt of the answering brief or the day preceding oral argument whichever